
HOUSE BILL No. 1743

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-18-15-1; IC 9-18-47.

Synopsis: Pet friendly trust license plates. Creates a pet friendly special recognition license plate. Establishes the Indiana pet friendly trust fund, and provides for the \$25 annual fee paid for a pet friendly trust license plate to be deposited in the trust fund. Specifies the method of distribution for the funds deposited in the pet friendly trust fund. Creates the pet friendly trust fund committee to distribute by grant the funds accumulated in the pet friendly trust fund. Specifies the criteria for an organization to be eligible to apply for a grant from the pet friendly trust fund. Requires the pet friendly trust fund committee to design and approve a grant application form for the Indiana pet friendly trust fund.

Effective: January 1, 2003.

Kruzan, Becker, Cheney

January 17, 2001, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1743

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-18-15-1, AS AMENDED BY P.L.222-1999,
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2003]: Sec. 1. (a) A person who is the registered owner
4 or lessee of a:

- 5 (1) passenger motor vehicle;
6 (2) motorcycle;
7 (3) recreational vehicle; or
8 (4) vehicle registered as a truck with a declared gross weight of
9 not more than:

10 (A) eleven thousand (11,000) pounds;
11 (B) nine thousand (9,000) pounds; or
12 (C) seven thousand (7,000) pounds;
13 registered with the bureau or who makes an application for an original
14 registration or renewal registration of a vehicle may apply to the bureau
15 for a personalized license plate to be affixed to the vehicle for which
16 registration is sought instead of the regular license plate.

17 (b) A person who:



(1) is the registered owner or lessee of a vehicle described in subsection (a); and

(2) is eligible to receive a license plate for the vehicle under:

- (A) IC 9-18-17 (prisoner of war license plates);
- (B) IC 9-18-18 (disabled veteran license plates);
- (C) IC 9-18-19 (purple heart license plates);
- (D) IC 9-18-20 (Indiana national guard license plates);
- (E) IC 9-18-21 (Indiana guard reserve license plates);
- (F) IC 9-18-22 (license plates for persons with disabilities);
- (G) IC 9-18-23 (amateur radio operator license plates);
- (H) IC 9-18-24 (civic event license plates);
- (I) IC 9-18-25 (special group recognition license plates);
- (J) IC 9-18-29 (environmental license plates);
- (K) IC 9-18-30 (children's trust license plates);
- (L) IC 9-18-31 (education license plates);
- (M) IC 9-18-32.2 (drug free Indiana trust license plates);
- (N) IC 9-18-33 (Indiana FFA trust license plates);
- (O) IC 9-18-34 (Indiana firefighter license plates);
- (P) IC 9-18-35 (Indiana food bank trust license plates);
- (Q) IC 9-18-36 (Indiana girl scouts trust license plates);
- (R) IC 9-18-37 (Indiana boy scouts trust license plates);
- (S) IC 9-18-38 (Indiana retired armed forces member license plates);
- (T) IC 9-18-39 (Indiana antique car museum trust license plates);
- (U) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
- (V) IC 9-18-41 (Indiana arts trust license plates);
- (W) IC 9-18-42 (Indiana health trust license plates);
- (X) IC 9-18-43 (Indiana mental health trust license plates);
- (Y) IC 9-18-44 (Indiana Native American Trust license plates);
- (Z) IC 9-18-45.8 (Pearl Harbor survivor license plates); ~~or~~
- (AA) IC 9-18-46.2 (Indiana state educational institution trust license plates); ~~or~~

(BB) IC 9-18-47 (Indiana pet friendly trust license plates); may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular special recognition license plate.

SECTION 2. IC 9-18-47 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]:

Chapter 47. Indiana Pet Friendly Trust License Plates



1 Sec. 1. As used in this chapter, "committee" refers to the pet
2 friendly trust fund committee.

3 Sec. 2. As used in this chapter, "IACCA" refers to the Indiana
4 Animal Care and Control Association.

5 Sec. 3. As used in this chapter, "private sheltered humane
6 organization" refers to an organization:

- 7 (1) whose primary mission is to place for adoption stray and
- 8 relinquished dogs and cats;
- 9 (2) that possesses or administers an animal shelter;
- 10 (3) that rescues any breed of dogs or cats;
- 11 (4) that does not breed dogs or cats; and
- 12 (5) that qualifies as a charitable organization (as defined in
- 13 Section 501(c) of the Internal Revenue Code).

14 Sec. 4. As used in this chapter, "shelterless humane
15 organization" refers to an organization:

- 16 (1) whose primary mission is to place for adoption stray and
- 17 relinquished dogs and cats;
- 18 (2) that cares for dogs and cats before adoption by means of
- 19 decentralized foster care;
- 20 (3) that rescues any breed of dogs or cats;
- 21 (4) that does not breed dogs or cats; and
- 22 (5) that qualifies as a charitable organization (as defined in
- 23 Section 501(c) of the Internal Revenue Code).

24 Sec. 5. As used in this chapter, "spay and neuter assistance
25 organization" refers to an organization:

- 26 (1) whose primary mission is to assist in offering or directing
- 27 individuals to low cost spay and neuter solutions; and
- 28 (2) that qualifies as a charitable organization (as defined in
- 29 Section 501(c) of the Internal Revenue Code).

30 Sec. 6. The bureau shall design and issue an Indiana pet friendly
31 trust license plate. The Indiana pet friendly trust license plate shall
32 be designed and issued as a special group recognition license plate
33 under IC 9-18-25.

34 Sec. 7. An Indiana pet friendly trust license plate designed under
35 IC 9-18-25 must include the following:

- 36 (1) A basic design for the plate, with consecutive numbers or
- 37 letters, or both, to properly identify the vehicle.
- 38 (2) A background design, an emblem, or colors that designate
- 39 the license plate as a pet friendly trust license plate.
- 40 (3) Any other information the bureau considers necessary.

41 Sec. 8. After December 31, 2002, a person who is eligible to
42 register a vehicle under this title is eligible to receive an Indiana

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pet friendly trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana pet friendly trust license plate.

(2) Paying the fees under section 9 of this chapter.

Sec. 9. (a) The fees for an Indiana pet friendly trust license plate are as follows:

(1) The appropriate fee under IC 9-29-5-38(a).

(2) An annual fee of twenty-five dollars (\$25).

(b) The bureau shall collect the annual fee referred to in subsection (a)(2) and shall deposit it in the fund established by section 10 of this chapter.

Sec. 10. (a) The Indiana pet friendly trust fund is established. The purpose of the fund is to provide grants to organizations that provide spaying or neutering programs for dogs or cats to reduce or prevent the overpopulation of dogs and cats.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) Any gift, grant, appropriation made by the general assembly for the fund, or donation of money shall be deposited into the fund established under subsection (a).

(d) The commissioner shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(e) After June 30 of each year, the commissioner shall distribute the money from the fund according to the determinations made by the pet friendly trust fund committee under section 22 of this chapter. There is annually appropriated to the pet friendly trust fund committee from the Indiana pet friendly trust fund, for the purpose set forth in subsection (a), an amount sufficient to make the grants and other expenditures determined by the committee under section 22 of this chapter.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 11. There is established the pet friendly trust fund committee.

Sec. 12. The committee consists of the following seven (7) members:

(1) One (1) member appointed by the Indiana Veterinary Medical Association.

(2) One (1) member appointed by the Indiana state board of



animal health.

(3) One (1) member appointed by the Purdue University School of Veterinary Medicine.

(4) One (1) member representing a private sheltered humane organization appointed by IACCA.

(5) One (1) member representing an animal care and control facility administered by a governmental unit (as defined in IC 36-1-2-23) appointed by IACCA.

(6) One (1) member representing a shelterless humane organization appointed by IACCA.

(7) One (1) member representing the general public appointed by IACCA.

Sec. 13. The members shall elect one (1) member as chairperson of the committee.

Sec. 14. The expenses of the committee shall be paid from the pet friendly trust fund established by section 10 of this chapter.

Sec. 15. Each member of the committee who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 16. Each member of the committee who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 17. Each member of the committee shall meet the following qualifications at the time of appointment and through the term of office:

(1) Residency in Indiana.

(2) Demonstrated active interest in education of the public regarding the benefits of pet overpopulation control.

Sec. 18. (a) Members of the committee shall serve a term of two (2) years and may serve not more than two (2) consecutive terms, including a term to which a member is appointed under subsection (c).

(b) A member shall continue to serve on the committee until the member's successor is appointed.



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(c) If a vacancy occurs, the appropriate appointing body shall appoint a person who shall serve for the unexpired term of the member being replaced.

(d) Except for a term to which a person is appointed under subsection (c) to fill a vacancy, all terms of committee members begin on January 1 of the first year of the term.

Sec. 19. The committee shall meet:

(1) after January 1 each year for the purpose of organization; and

(2) at least one (1) time per year.

Sec. 20. The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure.

Sec. 21. The committee shall do the following:

(1) review grant applications submitted under section 23 of this chapter;

(2) determine the distribution of grants; and

(3) review the accountability reports submitted under section 25 of this chapter and determine whether a grant recipient is in compliance with the terms of its grant.

Sec. 22. The committee shall determine the use of the funds in the pet friendly trust fund after June 30 of each year in the following manner:

(1) Grants for payment of spay and neuter solutions for dogs and cats. Each grant shall include not more than two percent (2%) for educational purposes to promote the spaying and neutering of dogs and cats.

(2) Not more than two percent (2%) of the fund each year may be used for the promotion of the Indiana pet friendly license plate under IC 9-18-47.

(3) Not more than five percent (5%) of the fund each year may be used for administrative purposes related to the committee.

Sec. 23. (a) As part of the application for a grant from the pet friendly trust fund, an applicant must submit the following information to the committee by a date each year to be determined by the committee:

(1) A detailed description of the applicant organization's mission and activities.

(2) The number of dogs and cats:

(A) received;

(B) adopted;



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(C) spayed and neutered;

(D) returned to owner; and

(E) euthanized;

by the applicant organization within the last two (2) calendar years before the submission of the application.

(3) A plan for spay and neuter educational effort, if applicable.

(b) An applicant organization that does not have a spay or neuter program in existence at the time of application for funds must submit a plan for the establishment of a spay or neuter program at the time of the grant application.

Sec. 24. (a) Organizations or individuals eligible to receive a grant from the committee from funds in the Indiana pet friendly trust fund include the following:

(1) A shelterless humane organization.

(2) A private sheltered humane organization.

(3) Animal care and control facilities administered by a governmental unit (as defined in IC 36-1-2-23).

(4) Spay and neuter assistance organizations.

(5) A veterinarian licensed to practice veterinary medicine under IC 15-5-1.1-11 who provides spay and neuter services.

(b) Breeders of dogs and cats who have spay and neuter programs are not eligible to receive a grant from the committee.

Sec. 25. (a) Before June 30 of each year, an organization that was a recipient of grant funds during the preceding calendar year shall submit to the committee an accountability report of the use and expenditure of the grant funds.

(b) The committee shall review the accountability reports and shall require a grant recipient found not to be in compliance with the terms of the grant to repay the amount of the funds received not in compliance with the terms of the grant.

(c) A grant recipient found not to be in compliance with the terms of a grant is not eligible for future grant funds under this chapter.

SECTION 3. [EFFECTIVE JANUARY 1, 2003] (a) The initial terms of office for the seven (7) individuals appointed to the pet friendly trust fund committee established by IC 9-18-47-11, as added by this act, are as follows:

(1) The members appointed under IC 9-18-47-12(2) and IC 9-18-47-12(5) through IC 9-18-47-12(7), all as added by this act, for a term of two (2) years.

(2) The members appointed under IC 9-18-47-12(1),

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1 **IC 9-18-47-12(3), and IC 9-18-47-12(4), all as added by this**
2 **act, for a term of one (1) year.**

3 **(b) The initial terms begin January 1, 2003.**

4 **(c) This SECTION expires January 1, 2005.**

5 **SECTION 4. [EFFECTIVE JANUARY 1, 2003] (a) The pet**
6 **friendly trust fund committee established by IC 9-18-47-11, as**
7 **added by this act, shall design and approve a grant application**
8 **form for the Indiana pet friendly trust fund not later than June 30,**
9 **2003.**

10 **(b) The pet friendly trust fund committee established by**
11 **IC 9-18-47-11, as added by this act, shall design and approve an**
12 **accountability report of the use and expenditure of funds received**
13 **for the Indiana pet friendly trust fund not later than June 30, 2003.**

14 **(c) This SECTION expires December 31, 2003.**

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